

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEREMY J. QUINN,	:	
	:	Case No. 4:18-cv-2615
Plaintiff,	:	
	:	Judge Pearson
v.	:	
	:	Magistrate Judge Burke
MR. F. RETORT, <i>et al.</i> ,	:	
	:	
Defendants.	:	

NOTICE IN RESPONSE TO COURT ORDER [DOC. 11]

On February 20, 2019, this Court issued an Order [Doc. #: 11] detailing options to resolve Plaintiff's pending Motion for Temporary Restraining Order and Preliminary Injunction.

[Doc. #: 4]. The Court stated:

[T]he parties could (1) agree to an injunction that Defendants¹ and the Ohio Department of Rehabilitation & Correction ("ODRC") be enjoined from doing anything that interferes with the regular dispensing of food to Plaintiff and (2) forgo further litigation on that issue. . . . In the alternative, the motion shall come on for a full evidentiary hearing on Friday, February 22, 2019, at 9:00 a.m., in Courtroom 351 Federal Building – United States Courthouse, 125 Market Street, Youngstown, Ohio. Given the foundation already laid by the parties in the record, the hearing is limited to two (2) hours in duration.

[Doc. #: 11., PageID #: 112].

The State of Ohio intends to move forward in litigation and participate in the full evidentiary hearing on Friday, February 22, 2019, at 9:00 a.m. Consequently, the State of Ohio does not agree to an injunction enjoining Defendants and ODRC.

¹ Defendants have not been served or entered an appearance in the present case. [Civil Docket]. The State of Ohio entered an appearance as an interested party. [Doc. #: 5]. An appearance by the State of Ohio does not waive proper service upon Defendants nor any of their defenses if they are properly served.

DAVE YOST
Ohio Attorney General

/s/Byron D. Turner
BYRON D. TURNER (0096388)
Assistant Attorney General
Criminal Justice Section
150 East Gay Street, 16th Floor
Columbus, Ohio 43215
(614) 644-7233
Fax: (844) 237-7628
Byron.Turner@OhioAttorneyGeneral.gov

Counsel for the State of Ohio

CERTIFICATE OF SERVICE

I certify that the foregoing *Notice in Response to Court Order [Doc. #: 11]* was filed via electronic transmission on February 20, 2019. A copy will be hand-delivered to Jeremy J. Quinn, #509-127, Ohio State Penitentiary, 878 Coitsville-Hubbard Road, Youngstown, Ohio 44505.

/s/Byron D. Turner
BYRON D. TURNER
Assistant Attorney General